

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BASTION HEALTH OPERATIONS,
LLC, *et al.*,

Plaintiffs,

v.

SEVA MEDICAL, PLLC, *et al.*,

Defendants.

Case No. C24-0201RSL

ORDER TO SHOW CAUSE

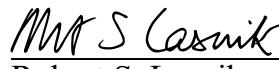
This matter comes before the Court *sua sponte*. On February 14, 2024, defendants removed this action to federal court alleging that the Court has jurisdiction because a claim under the federal Copyright Act of 1976 was alleged. Dkt. # 1. Plaintiffs recently amended their complaint to remove the only federal cause of action asserted. Dkt. # 14.

In the absence of federal question jurisdiction, the removing party must show that the Court has jurisdiction based on the diversity of citizenship of the parties. *See* 28 U.S.C. § 1332(a) (establishing that the federal court's basic diversity jurisdiction extends to "all civil actions where the matter in controversy exceeds . . . \$75,000 . . . and is between . . . citizens of different States."). "For a case to qualify for federal jurisdiction under 28 U.S.C. § 1332(a), there must be complete diversity of citizenship between the

1 parties opposed in interest.” *Kuntz v. Lamar Corp.*, 385 F.3d 1177, 1181 (9th Cir. 2004)
2 (internal citation omitted). In examining whether complete diversity is present, the
3 citizenship of a limited liability company is determined by examining the citizenship of
4 the owners/members. *See Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899
5 (9th Cir. 2006) (holding that “like a partnership, an LLC is a citizen of every state of
6 which its owners/members are citizens”).

7 The record does not contain information regarding the citizenship of each
8 owner/member of the LLC entities involved. The Court cannot, therefore, find that it has
9 jurisdiction over this matter. Fed R. Civ. P. 12(h)(3) (“If the Court determines at any time
10 that it lacks subject-matter jurisdiction, the court must dismiss the action”). Because
11 “[t]he party asserting jurisdiction has the burden of proving all jurisdictional facts,” *Indus.*
12 *Tectonics, Inc. v. Aero Alloy*, 912 F.2d 1090, 1092 (9th Cir. 1990), defendants are hereby
13 ORDERED TO SHOW CAUSE why the Court should not dismiss this action pursuant to
14 Fed. R. Civ. P. 12(b)(1). Defendants shall provide the Court with the citizenship of all of
15 the owners/members of all LLC parties by March 29, 2024. The Clerk of the Court is
16 directed to place this order to show cause on the Court’s calendar for that date.

17
18 Dated this 15th day of March, 2024.

19 
20 Robert S. Lasnik
United States District Judge